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11 Attorneys for Plaintiff  
12 United States of America

13  
14 IN THE UNITED STATES DISTRICT COURT  
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 ANDREA M. GERVAIS,  
20 aka ANDREA M. DANGERFIELD

Defendant.

CASE NO. 2:20-MJ-00189-AC

STIPULATION FOR EXTENSION OF TIME FOR  
PRELIMINARY HEARING PURSUANT TO RULE  
5.1(D) AND EXCLUSION OF TIME AND  
[PROPOSED] FINDINGS AND ORDER

DATE: January 6, 2021

TIME: 2:00 p.m.

COURT: Hon. Jeremy D. Peterson

17  
18 Plaintiff United States of America, by and through its attorney of record, Special Assistant U.S.  
19 Attorney ROBERT J. ARTUZ, and Defendant ANDREA M. GERVAIS, both individually and by and  
20 through her counsel of record, CHRIS COSCA, hereby stipulate as follows:

21 1. The Complaint in this case was filed on December 11, 2020, and Defendant Andrea M.  
22 Gervais first appeared before a judicial officer of the Court in which the charges in this case were  
23 pending on December 16, 2020. The Court set a preliminary hearing date of January 6, 2021.

24 2. By this stipulation, the parties jointly move to continue the preliminary hearing date to  
25 February 25, 2021 at 2:00 p.m., before the duty Magistrate Judge, pursuant to Rule 5.1(d) of the Federal  
26 Rules of Criminal Procedure. The parties stipulate that the delay is required to allow the defense  
27 reasonable time for preparation, and for the government's collection and production of discovery and  
28 continuing investigation of the case. For example, the government is continuing to provide discovery

1 relevant to this case. Defense counsel needs additional time to review and consider all the evidence and  
2 to conduct further investigation. The parties further agree that the interests of justice served by granting  
3 this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §  
4 3161(h)(7)(A).

5       3. The parties agree that good cause exists for the extension of time, and that the extension  
6 of time would not adversely affect the public interest in the prompt disposition of criminal cases.  
7 Therefore, the parties request that the time between January 6, 2021, and February 25, 2021, be  
8 excluded pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), Local Code T-4.

## IT IS SO STIPULATED.

Dated: January 4, 2021

MC GREGOR W. SCOTT  
United States Attorney

/s/ ROBERT J. ARTUZ  
ROBERT J. ARTUZ  
Special Assistant U.S. Attorney

Dated: January 4, 2021

/s/ CHRIS COSCA  
CHRIS COSCA  
Counsel for Defendant  
ANDREA M. GERVAIS

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18 v.  
19 ANDREA M. GERVAIS,  
20 aka ANDREA M. DANGERFIELD,  
21 Defendant.

CASE NO. 2:20-MJ-00189-AC

[PROPOSED] FINDINGS AND ORDER  
EXTENDING TIME FOR PRELIMINARY  
HEARING PURSUANT TO RULE 5.1(d) AND  
EXCLUDING TIME

DATE: January 6, 2021  
TIME: 2:00 p.m.  
COURT: Hon. Jeremy D. Peterson

22 The Court has read and considered the Stipulation for Extension of Time for Preliminary Hearing  
23 Pursuant to Rule 5.1(d) and Exclusion of Time, filed by the parties in this matter on January 4, 2021.  
24 The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order,  
25 demonstrates good cause for an extension of time for the preliminary hearing date pursuant to Rule  
26 5.1(d) of the Federal Rules of Criminal Procedure.

27 Furthermore, for the reasons set forth in the parties' stipulation, the Court finds that the interests  
28 of justice served by granting this continuance outweigh the best interests of the public and the defendant  
in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court further finds that the extension of time would  
not adversely affect the public interest in the prompt disposition of criminal cases.

THEREFORE, FOR GOOD CAUSE SHOWN:

1. The date of the preliminary hearing is extended to February 25, 2021, at 2:00 p.m.

2. The time between January 6, 2021, and February 25, 2021, shall be excluded from calculation pursuant to 18 U.S.C. § 3161(h)(7)(A).

3. Defendants shall appear at that date and time before the Magistrate Judge on duty.

IT IS SO ORDERED.

Dated: January 4, 2021

  
THE HONORABLE JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE